Statement of Stephen L. Johnson
Before the
Committee on Environment & Public Works
United States Senate
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Mr. Chairman and distinguished Members of the Committee, I am honored to appear before you today as the President's nominee for the position of Administrator of the United States Environmental Protection Agency. I want to thank Chairman Inhofe and Ranking Member Jeffords for scheduling this hearing this morning, and I also want to thank many of you for the courtesy of meeting with me in the past several weeks to discuss my qualifications for this position.

Mr. Chairman, I am enormously indebted to President Bush for the opportunity he has given me. I have had the privilege of serving in the EPA for more than twenty-four years, and during this time I have had the opportunity to participate in many of the Agency's most significant accomplishments. I have worked with eight of the nine EPA Administrators, and I understand first-hand the enormous responsibility the Administrator of the EPA has to protect human health and the environment. That sense of responsibility is heightened by being the first career employee and the first individual with formal scientific training to be nominated to head the Agency.

Mr. Chairman, as you are aware, I am trained in biology and pathology. After graduating from college, I worked for the Computer Sciences Corporation at the Goddard Space Flight Center and was assigned to serve as a junior member of the launch support team for the first Synchronous Meteorological Satellite (SMS-1). After completing my graduate degree in pathology, I worked at Litton Bionetics, Incorporated, as a research scientist. I began my career

at EPA in 1979 as a health scientist in the Office of Pesticides and Toxic Substances. I joined Hazelton Laboratories in 1982 to be Director of Operations, where I managed the company's laboratory operations, including the toxicological evaluation of chemicals. In 1984, I returned to EPA to the Office of Prevention, Pesticides and Toxic Substances (OPPTS), where I held numerous positions, including the Director of the Registration Division, the Deputy Director of the Hazard Evaluation Division, and the Executive Secretary of the Scientific Advisory Panel for the Federal Insecticide, Fungicide, and Rodenticide Act. I also served as the Deputy Director of the Office of Pesticide Programs, and the Principal Deputy Assistant Administrator of OPPTS.

In 2001, I was honored to be chosen by President Bush – and confirmed by the Senate – to serve as Assistant Administrator for the Office of Prevention, Pesticides and Toxic Substances. In this position, I was responsible for implementation of the nation's laws for pesticides, toxic chemicals, right-to-know, pollution prevention, and lead-based paint, including the regulatory and scientific programs.

I was honored again in 2004 to be selected to serve as Deputy Administrator. I appreciated the support of this Committee and the full Senate in being confirmed, and I especially appreciated the support of both Governor Whitman and Governor – now Secretary – Leavitt as I served under their leadership.

Mr. Chairman, during my more than two decades at the EPA, I have been privileged to direct, guide, and witness many significant environmental accomplishments in reducing pollution of the air, water, and land. Preparing for this hearing has helped to remind me of the significant accomplishments we have achieved. For example, today the air is the cleanest in three decades. Over the last thirty years, total emissions of the six principal air pollutants have

decreased by more than 50 percent, while the Gross Domestic Product has increased by more than 175 percent. EPA's recent Clean Air Interstate Rule, the Clean Air Mercury Rule, and the Clean Air Diesel Rule, will ensure that we continue – and even accelerate – our steady march toward achieving the goals of the Clean Air Act. I understand that we have more work to do. When he nominated me, the President charged me with working with Congress to pass Clear Skies legislation. Clear Skies legislation will improve upon EPA's regulations by creating a nationwide program with greater certainty and greater emissions reductions. I appreciate the work the Committee has already done on this issue, and I look forward to working with you to advance this important legislative initiative.

We have a number of other accomplishments to be proud of. In the 1970's, nearly 90 percent of children in the United States had blood lead levels above 10 micrograms per deciliter compared to just 2.2 percent today. Over the past several years, more than 1,000 contaminated sites are in the process of being cleaned up. Brownfields legislation passed by Congress and signed by President Bush in 2002 holds the promise to transform thousands of additional sites across the country into usable, productive land. Recycling and composting of municipal solid waste has increased more than tenfold in the last decade. And even as our economy has continued to grow, industrial releases of 332 chemicals tracked since 1988 are down nearly 50 percent, a reduction of 1.55 billion pounds.

EPA and our partners continue to make progress in improving our beach water quality. Just a few months ago, former Administrator Leavitt put into place new beach water quality standards protecting the public against pathogens in coastal and Great Lakes waters. Annual wetland losses have dropped dramatically, and President Bush has now raised the bar by

pledging to achieve, for the first time, an overall increase in wetlands. Who would have thought this possible thirty years ago, when wetland losses were nearly 500,000 acres annually? And our drinking water is cleaner and safer, too. Over 90 percent of the population served by community water systems receives drinking water that meets all health-based standards -- up from 79 percent just a decade ago.

Our food supply is also safer. EPA has been increasing protections from pesticides for everyone – and especially children – through its vigorous implementation of the landmark 1996 Food Quality Protection Act (FQPA). EPA has reassessed nearly 70 percent of the existing pesticides to make sure they meet today's standards for safety. As a result, many pesticide uses that posed the greatest risks have been taken off the market. And many older pesticides have been further regulated to make sure that produce sold on the market does not have pesticide concentrations beyond acceptable limits, and that any pesticide residues in food meet the tougher health standards called for in the FQPA. Another example of the success of this effort to reassess pesticides is the greatly reduced use in residential settings of organophosphates – a class of acutely toxic pesticides. It's estimated that 15 million to 20 million pounds of organophosphate pesticides have been removed from use in and around homes. At the same time, we've worked to ensure that growers and citizens have the products they need to control pests.

Mr. Chairman, while serving in various positions within the Agency, I have relied upon several principles to guide my decisions. Even as we face new challenges, I believe that these are the principles I would rely upon as Administrator, and I'd like to summarize them briefly.

First, I will continue to work to ensure that the Agency's decisions are based on the best available scientific information, and that the Agency uses the resources provided by Congress –

and those resources we can leverage from other sources – to pursue scientific questions that are important to the health and welfare of the American public. The scientific community continues to make dramatic progress in understanding the effects of pollution on human health and the environment, and how to measure those effects. We see extraordinary advances in disciplines that barely existed ten years ago – in the fields of biotechnology, nanotechnology, and toxicogenomics.

As a scientist, I am intrigued with the promise that these new areas of discovery hold for improving the world we live in. But I also recognize that the process of scientific discovery is not always straightforward; there are times when we're not sure what the science is telling us. So our challenge is to make sure that when we are required to make regulatory or policy decisions, we are using the best available scientific information, and at the same time we should continue to pursue and encourage rigorous scientific inquiry.

The second principle I will follow is to pursue as open and transparent a decision making process as possible. During my time at EPA, I have managed virtually every aspect of the Agency's rulemaking process, from the development of technical scientific papers, to the final, formal decisions. I understand that the credibility of EPA's decisions comes from two things: first, from the integrity of the science that underlies the decision; and second, from the ability of the public to understand how the Agency came to its decision. The ideal rulemaking process would be one in which we solicit input and advice from all interested stakeholders and then make a decision with which everyone agrees. Unfortunately, it rarely happens that way. Even when there is disagreement on the Agency's final decision, I want to be certain that the Agency has a clear rationale for that decision, and that rationale is evident to all who may be interested.

As a part of this effort to improve the openness of our rulemaking process, I will work hard to strengthen and improve the dialogue among government, the regulated community, public interest groups, and the general public. Furthermore, I recognize the important interest that Congress has in our work – both as the author of laws given to the Agency to implement, and as the overseer of taxpayers' dollars charged to EPA's trust – and I will do my best to accomplish your intent.

The third principle I will follow is that new problems require new approaches to finding solutions. Despite our past successes, we face many continuing challenges, such as limited resources, and a number of new challenges, such as environmental issues that cross traditional borders and boundaries. Just as we live in a global marketplace, many of our environmental problems are becoming increasingly international. These international issues require us to adopt new approaches. The President's Methane-to-Markets program is one such approach. This program is a new global initiative designed to advance international cooperation on the recovery and use of methane as a valuable clean energy source. In addition to the United States, thirteen countries are participating in the partnership and are expected to undertake activities aimed at capturing and using methane emitted from landfills, coal mines, and oil and gas systems. This program has the potential to reduce net methane emissions by up to 50 million metric tons of carbon equivalent annually by 2015, and continue at that level, or higher, in the future. This would be the carbon equivalent of removing 33 million cars from the roads for one year or eliminating emissions from fifty 500-megawatt coal-fired power plants.

I am encouraged that we have already had some success with a new focus on collaboration to address environmental problems – a method that is useful even when resources

are limited and when typical legal authorities are not available. Perhaps the best recent example of collaboration is the success we have enjoyed to date with the President's Great Lakes Executive Order issued a little more than a year ago. At the President's direction, former Administrator Mike Leavitt convened a meeting of governors, mayors, tribal leaders, other elected officials, the leadership of ten Federal agencies, and many, many stakeholders to convene a Collaboration of National Significance on the Great Lakes. These leaders are working together – across jurisdictional lines and across political boundaries – to develop a plan to preserve and protect the Great Lakes as a national treasure. I am excited about the prospect of adopting this model of problem solving to a number of other issues confronting the Agency in the next several years.

I should point out that the collaborative approach to environmental problem solving is not new. EPA's ENERGY STAR program is one example of a voluntary program that has existed for several years and has resulted in significant environmental benefits. ENERGY STAR is a voluntary public/private partnership that works with manufacturers, utilities, retailers, and end users to promote energy efficiency. Last year alone, using ENERGY STAR products and programs, Americans saved enough energy to power 24 million homes and reduce greenhouse gas emissions equal to 20 million cars – all while saving approximately $10 billion on energy bills.

One key to the success of EPA's collaborative problem solving is to strengthen the partnership with our State and local colleagues. While EPA is obligated to continue to establish national standards and hold States accountable for meeting those standards, we know that each State and locality has its own unique issues, and that State officials are in the best position to

know how to solve those issues. Through collaboration, we have the opportunity to provide States and localities with the most flexibility to address their specific problems, thereby getting the most benefit from limited resources.

Of course, none of these new tools is intended to take the place of EPA's obligation to enforce the environmental laws as written by Congress. We will use incentives whenever it is appropriate, but we will never give up the ability to hold individuals accountable under the environmental laws of the nation. We have been entrusted with this important responsibility, and while we should not abuse it, we must always be vigilant to enforce the laws.

Finally, let me mention a fourth principle I consider vital to the Agency's future success. As a twenty-four year veteran of the Agency, I want to do what I can to build the Agency for the next generation and beyond, including strengthening the day-to-day operations of the Agency such as grants oversight, and ensuring that we meet our new responsibilities with respect to homeland security. As many of you know, we are facing a challenge as the professionals who joined the Agency in its infancy are retiring. EPA's success is inseparable from the qualifications of its staff. And the successes the Agency has accomplished are a tribute to the accomplishments of its staff. To maintain our ability to deal with the environmental challenges of the next decade and the next generation, we need to make sure we have people trained in the right disciplines and with the right problem-solving skills. I would say parenthetically that we have already started to train senior managers in collaborative problem solving skills, and we are starting to see the benefits of that training.

Mr. Chairman, I have dedicated my entire professional life to protecting public health and the environment. I have not viewed it to be a goal exclusive of maintaining our economic

competitiveness, and I am proud that our nation continues to prosper as we continue to achieve our environmental objectives. If confirmed, I will do everything I can as Administrator to continue to serve the American people by working to protect their health and the health of the environment.